

AN ORDINANCE

BY COUNCILMEMBER DEBI STARNES

AMENDING A SEWER EASEMENT AT 747 FORREST ROAD, N.E.
GRANTED TO THE CITY ON OCTOBER 29, 1970 BY CONCRETE
MANUFACTURING COMPANY; AND FOR OTHER PURPOSES.

WHEREAS, on October 29, 1970, Concrete Manufacturing Company granted a "Sewer Easement" at 747 Forrest Road, N.E. (now known as Ralph McGill Blvd.) to the City of Atlanta (the "1970 Easement"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, in March 1971, Concrete Manufacturing Company granted another sewer easement to the City of Atlanta at 745 and 747 Forrest Road, N.E., the location of which was depicted on a recorded plat dated February 8, 1971 (the "1971 Easement"), a copy of which easement is attached hereto as Exhibit B; and

WHEREAS, the 1970 Easement was vague and contained no legal description or plat depicting the location of the sewer; and

WHEREAS, the City of Atlanta has conducted a thorough review of its records and sewer maps to locate the sewer lines constructed on the property; and

WHEREAS, the City now wishes to amend the 1970 Easement to clarify the location.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

Section 1. The 1970 Easement, dated October 29, 1970 and recorded at Deed Book 5315, page 542 of the records of Fulton County, Georgia, by which Concrete Manufacturing Company granted to the City of Atlanta a sewer easement for 747 Forrest Road, N.E. (a copy of which is attached hereto as Exhibit A), is hereby amended to include the description attached hereto as Exhibit C.

Section 2. The Mayor, the Purchasing Agent, and the City Attorney or their designees are hereby authorized to prepare and execute any documents necessary to accomplish this transaction.

Section 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

EXHIBIT A

SEWER EASEMENT

2216558

STATE OF GEORGIA:

COUNTY OF Fulton

This indenture and conveyance made this 29th day of October, 1970
between Concrete Manufacturing Company
of Fulton County, Georgia, party of the first part and the City of Atlanta, a municipal corporation of the State of Georgia, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (1.00) Dollar and other valuable considerations paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted and does convey to the said party of the second part, and its successors, an easement to maintain a sewer with the right of entry for the purpose of inspection, repair, or enlargement, through the property of the party of the first part in Land Lot 18 of the 14th District of Fulton County, Georgia, and lying on the Southeast side of Forrest Road, N.E.

being more particularly described as house number 747 according to the present system of numbering houses in the City of Atlanta, Georgia.

Sewer inspection, repair, or enlargement shall be done at the expense of the City of Atlanta and with as little inconvenience to the property owner or tenant as is consistent with reasonable progress, and the property shall be left in reasonably cleaned and good condition upon completion of the work, and the party of the first part waives for them self, their heirs and assigns, all right to any further compensation or claim for damages on account of the maintenance or enlargement of the sewer or the use of the property as herein agreed.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and affixed his seal, the day and year first above written.

Signed, sealed and delivered
in the presence of:

[Signature]
(WITNESS)

CONCRETE MANUFACTURING COMPANY

By [Signature] (SEAL)
James C. Bailey, President

[Signature]
(NOTARY)

(SEAL)



GEORGIA, Fulton County, Clerk's Office Superior Court
Filed & Recorded DEC 3 1970 at 11:38 A.M.

SEWER EASEMENT

STATE OF GEORGIA:

COUNTY OF EULTON

This indenture and conveyance made this _____ day of March, 1971
between CONCRETE MANUFACTURING COMPANY, a Georgia corporation
of Fulton County, Georgia, party of the first part and the City of Atlanta, a municipal corpo-
ration of the State of Georgia, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (1.00) Dollar and other valuable considerations paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted and does convey to the said party of the second part, and its successors, an easement of twelve (12) feet extending along the sewer line, to maintain a sewer with the right-of-way of entry for the purpose of inspection, repair, or enlargement, through the property of the party of the first part in Land Lot 18 of the 14th District of Fulton County, Georgia, and lying on the 2nd south side of Forrest Road, N.E., the location of said sewer being designated by a plat made by Prybylowski & Gravino, Inc., Engineers, dated February 8, 1971, a copy of said plat attached hereto and made a part hereof. being more particularly described as house number 745 & 747 according to the present system of numbering houses in the City of Atlanta, Georgia.

Sewer inspection, repair, or enlargement shall be done at the expense of the City of Ada and with as little inconvenience to the property owner or tenant as is consistent with reasonable progress, and the property shall be left in reasonably cleaned and good condition upon completion of the work, and the party of the first part waives for its - self, its heirs and assigns, all right to any further compensation or claim for damages on account of the maintenance or enlargement of the sewer or the use of the property as herein agreed.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and affixed his seal, the day and year first above written.

Georgia, Fulton County, Clerk's Office Superior Court

Filed & Recorded JUN 30 1971 at 9:43 A M. W. S. Ammon Clerk

Signed, sealed and delivered
in the presence of:

Wale P. Harrison
(WITNESS)

Mrs H. L. Patrick
(NOTARY)

(NOTARY)
Notary Public, Georgia State at Large
My Commission Expires Nov. 29, 1971

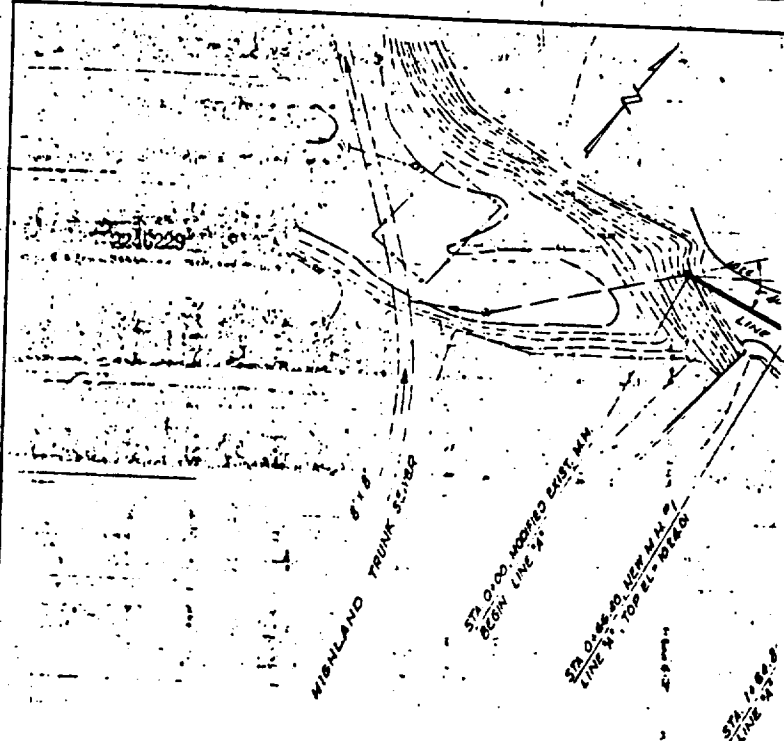
CONCRETE MANUFACTURING COMPANY

By James C. Bailey (SEAL)
President

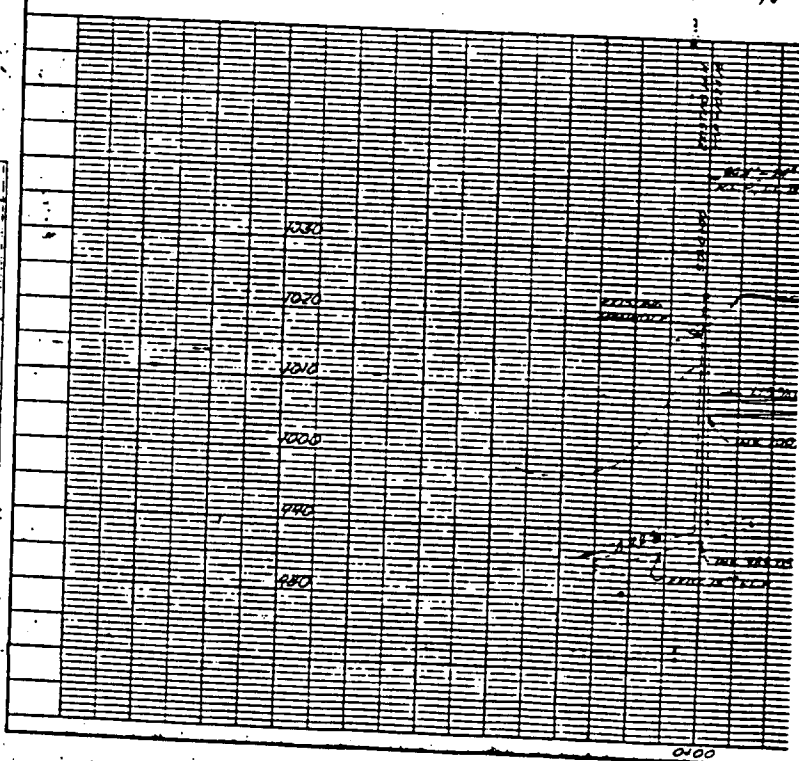
(SEAL)



PLAN	
DATE	BY
PROJECT	LOCATION
SCALE	DATE
REVISIONS	
NO.	DESCRIPTION
1	AS SHOWN



PROFILE	
DATE	BY
PROJECT	LOCATION
SCALE	DATE
REVISIONS	
NO.	DESCRIPTION
1	AS SHOWN



22-10229

LESTER

PEOPLES

IFY THAT THE DATA REFLECTED IN THIS
NG HAS BEEN VERIFIED IN THE FIELD AND
BEST OF MY KNOWLEDGE IS ACCURATE AND
CT, AND II GENERAL COMPLIANCE WITH
R RULES AND REGULATIONS GOVERNING
VELOPMENT OF SANITARY OR STORM SEWERS
METROPOLITAN ATLANTA SEWER SYSTEM."

UNED. TAKEN FROM DRAWING BY PATTERSON
K. DATED 3-8-70. CONVERSION TO M.S.L. IS
320 ON U.S.C. & G.S. BLK. 10N 03E
OF SEARS 1/4 SIDEWALK, N. 03E S. OF S. CURB
V. 76 15' S.W. OF CENTER OF CATCH BASIN
92-990

[illegible]

WILLIAMS MILL RD., N.E.

01-0099

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER DEBI STARNES

AMENDING A SEWER EASEMENT AT 747 FORREST ROAD, N.E.. GRANTED TO THE CITY ON OCTOBER 29, 1970 BY CONCRETE MANUFACTURING COMPANY AND FOR OTHER PURPOSES.

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ CRC Vote

CERTIFIED

MAYOR'S ACTION

☐ CONSENT REFER

☐ REGULAR REPORT REFER

☐ ADVERTISE & REFER

☐ 1st ADOPT 2nd READ & REFER

☒ PERSONAL PAPER REFER

Date Referred

11/16/01

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

City Utilities